

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 200

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE IDAHO ENERGY RESOURCES AUTHORITY; AMENDING SECTION 67-8922, IDAHO CODE, TO PROVIDE ADDITIONAL POWERS OF THE STATE TREASURER TO INVEST STATE FUNDS OR OTHER FUNDS IN FIXED OR VARIABLE RATE BONDS OF THE AUTHORITY UPON CERTAIN CONDITIONS; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 67-8922, Idaho Code, be, and the same is hereby amended to read as follows:

67-8922. AUTHORITY OBLIGATIONS ARE LEGAL INVESTMENTS. (1) The bonds of the authority shall be legal investments in which all public officers and public bodies of this state, its political subdivisions, all municipalities and municipal subdivisions, all insurance companies and associations and other persons carrying on an insurance business, all banks, bankers, banking associations, trust companies, savings banks and savings associations, including savings and loan associations, building and loan associations, investment companies and other persons carrying on a banking business, all administrators, guardians, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or in other obligations of the state, may properly and legally invest funds, including capital, in their control or belonging to them. The bonds are also hereby made securities which may properly and legally be deposited with and received by all public officers and bodies of the state or any agency or political subdivisions of the state and all municipalities and public corporations for any purpose for which the deposit of bonds or other obligations of the state is now or may hereafter be authorized by law.

(2) In addition to the investments permitted under chapter 12, title 67, Idaho Code, and notwithstanding any limitations on investments contained in that chapter, the state treasurer is authorized and empowered to invest state funds or any other funds in his hands in fixed or variable rate bonds of the authority and to enter into agreements with the authority in connection with any such investment, so long as the term of the investment does not exceed thirty (30) years and the quality of the underlying credit, or the underlying credit as enhanced, is not less than investment grade.

(3) In addition to the investments permitted under chapter 12, title 67, Idaho Code, and notwithstanding any limitations on investments contained in that chapter, the state treasurer is authorized and empowered to invest state funds or any other funds in his hands in fixed or variable rate bonds of the authority at such rate of interest below the prevailing market rate for such bonds that, in the state treasurer's judgment, will stimulate economic growth benefits and tax revenues having a present value equal to or greater than the discounted interest rate for facilities that are renewable energy generation projects that use as a fuel source liquid or gaseous fuels from crops, crop residue, food or animal processing waste, landfills, woody

1 materials or geothermal energy, so long as the term of the investment does not exceed thirty
2 (30) years and the quality of the underlying credit, or the underlying credit as enhanced, is not
3 less than investment grade.

4 SECTION 2. An emergency existing therefor, which emergency is hereby declared to
5 exist, this act shall be in full force and effect on and after its passage and approval.